



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 5  
77 WEST JACKSON BOULEVARD  
CHICAGO, IL 60604-3590

REPLY TO THE ATTENTION OF:

October 27, 1995

(C-29A)

Gerald Harwood  
Office of Administrative Law Judges  
U.S. Environmental Protection Agency  
Mail Code 1900  
401 M Street, S.W.  
Washington, D.C. 20460

Re: The Marion Steel Company  
Docket No. TSCA-V-C-87-93.

Dear Judge Harwood:

Attached, please find a copy of the parties' JOINT MOTION TO DEFER CONSIDERATION OF OUTSTANDING MOTIONS, which I filed with the Regional Hearing Clerk today, pursuant to your Orders, dated October 3, 1995, and October 17, 1995. Thank you.

Sincerely,

A handwritten signature in black ink, appearing to read "JMT" or similar, written over a horizontal line.

Jeffery M. Trevino  
Assistant Regional Counsel

cc: Jodi Swanson-Wilson  
Regional Hearing Clerk  
10th Floor  
77 West Jackson Boulevard (MF-10J)  
Region 5  
U.S. Environmental Protection Agency  
Chicago, Illinois 60604-3590;

Mr. Stephen P. Samuels  
Samuels and Northrop Company, LPA  
Suite 816  
180 East Broad Street  
Columbus, Ohio 43215.



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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D.C.

RECEIVED  
REGIONAL HEARING  
OFFICE

BEFORE THE ADMINISTRATOR

In the Matter of )  
 )  
The Marion Steel Company, )  
 )  
Respondent )

'95 OCT 27 AM 11:45

Docket No. TSCA-V-C-87-93

U.S. ENVIRONMENTAL  
PROTECTION AGENCY  
REGION V

JOINT MOTION  
TO DEFER CONSIDERATION OF OUTSTANDING MOTIONS

The Complainant, the Director of the Waste, Pesticides, and Toxics Division of Region 5 of the U.S. Environmental Protection Agency, by and through his attorney Jeffery M. Trevino, Assistant Regional Counsel, and the Respondent, The Marion Steel Company, Marion, Ohio, by and through its attorney Stephen P. Samuels, hereby submit this Joint Motion requesting that the Court defer consideration of all outstanding motions until after the Environmental Appeals Board issues its decision for Lazarus, Incorporated, Environmental Appeals Board, Appeal No. TSCA 95-2. Complainant and Respondent state the following in support of their Joint Motion.

1. The Complainant has filed a Motion for Accelerated Decision, and the Respondent has filed a Motion for Accelerated Decision on Counts I through IV and VI, and a Motion to Suppress Evidence and for Accelerated Decision.

2. Respondent's Motions raise issues decided by the Court in Lazarus, Incorporated, Docket No. TSCA-V-C-32-93.

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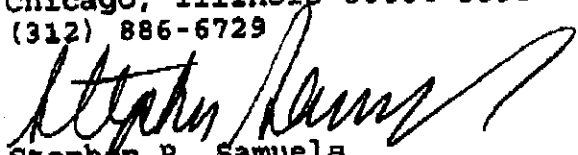
3. However, Complainant and Lazarus, Incorporated, have appealed to the Environmental Appeals Board the Court's decision.

4. Therefore, the Complainant and Respondent request that the Court defer consideration of their outstanding motions until after the Environmental Appeals Board issues its decision for Lazarus, Incorporated, Environmental Appeals Board, Appeal No. TSCA 95-2.

Respectfully submitted,



Jeffery M. Trevino  
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